

The Texas Board of Physical Therapy Examiners proposes amendments to §341.6, regarding License Restoration. The amendments expand the requirements licensees must meet before restoring or reinstating a Texas license that has been expired one year or more.

John P. Maline, Executive Director, has determined that for the first five-year period these amendments are in effect there will be no additional costs to state or local governments as a result of enforcing or administering these amendments.

Mr. Maline has also determined that for each year of the first five-year period these amendments are in effect the public benefit will be to encourage more PTs and PTAs whose licenses have expired to return to the workforce if they are in Texas. Mr. Maline has determined that there will be no costs or adverse economic effects to small or micro businesses, therefore an economic impact statement or regulatory flexibility analysis is not required for the amendment. There are no anticipated costs to individuals who are required to comply with the rule as proposed.

Comments on the proposed amendments may be submitted to Karen Gordon, PT Coordinator, Texas Board of Physical Therapy Examiners, 333 Guadalupe, Suite 2-510, Austin, Texas 78701; email: karen@ptot.texas.gov. Comments must be received no later than 30 days from the date this proposed amendment is published in the *Texas Register*.

The amendments are proposed under the Physical Therapy Practice Act, Title 3, Subtitle H, Chapter 453, Texas Occupations Code, which provides the Texas Board of Physical Therapy Examiners with the authority to adopt rules consistent with this Act to carry out its duties in administering this Act.

Title 3, Subtitle H, Chapter 453, Texas Occupations Code is affected by these amendments.

### §341.6. License Restoration.

(a) The board may reinstate a license that has been expired one year or more through the process of restoration if certain requirements are met.

(b) Duration. The original expiration date of a restored license will be adjusted so that the license will expire two years after the month of restoration.

(c) Persons who are currently licensed in good standing in another state, district, or territory of the U.S. The requirements for restoration are:

- (1) a completed restoration application form;
- (2) a passing score on the jurisprudence examination;
- (3) verification of Licensure from all states in which the applicant holds or has held a license; and
- (4) the restoration fee.

(d) Persons who are not currently licensed in another state or territory of the U.S.

(1) A licensee whose Texas license is expired for one to five years. The requirements for restoration are:

- (A) a completed restoration application form;
- (B) a passing score on the jurisprudence examination;
- (C) the restoration fee;
- (D) verification of Licensure from all states in which the applicant has held a license; and  
~~successful completion of a practice review tool and board-approved continuing competence activities (PT 30 CCUs, PTAs 20 CCUs) including two CCUs of approved ethics/professional responsibility activities, or passage of the national examination.~~

(E) demonstration of competency. Competency may be demonstrated in one of the following ways:

- (i) reexamination with a passing score on the national physical therapy exam;
- (ii) completion of an advanced degree in physical therapy within the last five years;
- (iii) For PTs only: successful completion of a board-approved practice review tool and 30 CCUs of board-approved continuing competence activities;
- (iv) For PTs only: 480 hours on-site supervised clinical practice and 30 CCUs of board-approved continuing competence activities within the previous 24 months;
- (v) For PTAs only: 320 hours on-site supervised clinical practice and 20 CCUs of board-approved continuing competence activities within the previous 24 months.

(2) A licensee whose Texas license is expired for five years or more may not restore the license but may obtain a new license by taking the national examination again and getting a new license by relicensure. The requirements for relicensure are:

- (A) a completed restoration application form;
- (B) a passing score on the jurisprudence examination;
- (C) the restoration fee; and
- (D) a passing score on the national exam, reported directly to the board by the Federation of State Boards of Physical Therapy.

(e) Military spouses. The board may restore the license to an applicant who is the spouse of a person serving on active duty as a member of the armed forces of the U.S., who has, within the five years preceding the application date, held the license in this state that expired while the applicant lived outside of this state for at least six months. In addition to the requirements listed in subsection (c)(1)-(4) of this section, the application for restoration shall include:

- (1) official documentation of current active duty of the applicant's spouse;
- (2) official documentation of residence outside of Texas for a period of no less than six months, including the date the applicant's license expired; and
- (3) demonstration of competency. Competency may be demonstrated in one of the following ways:
  - (A) verification of current licensure in good standing in another state, district or territory of the U.S.;
  - (B) reexamination with a passing score on the national physical therapy exam;
  - (C) completion of an advanced degree in physical therapy within the last five years; or
  - (D) successful completion of a practice review tool and continuing competence activities as specified by the board.

(f) Renewal of a restored license. To renew a license that has been restored, a licensee must comply with all requirements in §341.1 of this title (relating to Requirements for Renewal).